

UNITED STATES PATENT AND TRADEMARK OFFICE

ENITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P. D. Bec 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/973,557	10/10/2001	W. Monty Reichert	2455.3US	7868
	7590 10/19/2004		EXAMINER	
TRASK BRI P.O. BOX 255			SNAY, JEFFREY R	
	CITY, UT 84110		ART UNIT	PAPER NUMBER
			1743	

Please find below and/or attached an Office communication concerning this application or proceeding.

This action is FINAL. 2b)⊠ This action is non-final. 3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Since this application is in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Since this application is one closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Since this application is 1±63 is accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Since this application is 1±63 is accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Since this application is 1±63 is accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Claim(s) 1±63 is accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Claim(s) 1±63 is accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Claim(s) 1±63 is accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. This action is closed to be said withdrawn from consideration. Since if accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. This action is closed to be practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. This action is accordance withdrawn from consideration. The oath or declaration is objected to by the Examiner. Application Production is objected to by the Examiner. Application Production is objected to by the Examiner. The oath or declaration is objected to by the Examiner. The oath or declaration is objected to by the Examiner. Application Production is objected to by the Examiner. This accidence is production in the practice u			Application No.	Applicant(s)
Letter		Office Action Co	09/973,557	REICHERT ET AL.
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of ten may be available under the provision of 37 CFR 1 13(s). In no event, however, may a neply be timely fired after 50 Km MONTHS from the inaming date of this communication. 137 CFR 1 13(s). In no event, however, may a neply be timely fired after 50 Km MONTHS from the inaming date of this communication of 17 CFR 1 13(s). In no event, however, may a neply be timely fired after the main property of the communication of 17 CFR 1 13(s). In no event, however, may a neply be timely fired after the main property of the property of 18 communication of 18 CFR 1 13 CFR		Office Action Summary	Examiner	Art Unit
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 37 CFR 1.13(6). In ne event, however, may a reply be timely filled after SIX (8) MONTHS from the maining date of this communication. If the period corresply specified dates, the maining maining of 37 CFR 1.13(6). In ne event, however, may a reply be timely filled after SIX (8) MONTHS from the maining date of this communication. If the period corresply specified dates, the maining maining after the maining date of this communication of the period of the communication of the period of the communication o				
THE MALLINES DAE COT HIS COMMUNICATION. Extensions of time may be waitable under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed Extensions of time may be waitable under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed Extensions of time may be waitable under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed If the period for reply septicine to reply the provision of the period for reply within the state of the communication. If the period for reply septicine to reply within the set or extended period for reply septicine. 1) Responsive to communication(s) filed on 26 July 2004. 2a) This action is FINAL. 2b) This action is price that the major and the provision of the p	Period f	The MAILING DATE of this communication app or Reply	ears on the cover sheet	with the correspondence address
1) ⊠ Responsive to communication(s) filed on 26 July 2004. 2a) ☐ This action is FINAL. 2b) ⊠ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. isposition of Claims 4) ☑ Claim(s) 1-63 is/are pending in the application. 4a) Of the above claim(s) 52-63 is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are objected to. 7) ☐ Claim(s) is/are objected to. 8) ☑ Claim(s) 1-51 are subject to restriction and/or election requirement. pplication Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121; 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	I HE - External control contro	MAILING DATE OF THIS COMMUNICATION. ensions of time may be available under the provisions of 37 CFR 1.13 r SIX (6) MONTHS from the mailing date of this communication. e period for reply specified above is less than thirty (30) days, a reply operiod for reply is specified above, the maximum statutory period ure to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing	36(a). In no event, however, may within the statutory minimum of t will apply and will expire SIX (6) M	a reply be timely filed hirty (30) days will be considered timely. ONTHS from the mailing date of this communication.
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. isposition of Claims 4) Claim(s) 1-63 is/are pending in the application. 4a) Of the above claim(s) 52-63 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-51 are subject to restriction and/or election requirement. pplication Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121; 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	Status			
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. isposition of Claims 4) Claim(s) 1-63 is/are pending in the application. 4a) Of the above claim(s) 52-63 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-51 are subject to restriction and/or election requirement. pplication Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121; 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	1)🛛	Responsive to communication(s) filed on 26 Ju	dv 2004	
3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims Size Size				
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims	3)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		atters prosecution as to the movite in
A) Claim(s) 1-63 is/are pending in the application. 4a) Of the above claim(s) 52-63 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-51 are subject to restriction and/or election requirement. pplication Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.1211 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Cortified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Instance application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.		closed in accordance with the practice under F	x parte Quavle 1935 C	D 11 453 O C 213
4a) Of the above claim(s) 52-63 is/are withdrawn from consideration. 4a) Of the above claim(s) 52-63 is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 71 □ Claim(s) is/are objected to. 8) ☑ Claim(s) 1-51 are subject to restriction and/or election requirement. pplication Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.1211 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1 □ Certified copies of the priority documents have been received. 2 □ Certified copies of the priority documents have been received in Application No 3 □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	Disnosit		- panto quayio, 1000 O	.5. 11, 400 0.0. 210.
4a) Of the above claim(s) 52-63 is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☒ Claim(s) 1-51 are subject to restriction and/or election requirement. pplication Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.81(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(a). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.				
5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☑ Claim(s) is/are objected to. 8) ☑ Claim(s) is/are subject to restriction and/or election requirement. pplication Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(a) and the order of the order of the drawing(s) is objected to. See 37 CFR 1.121(a) and the order of the order of the examiner. Note the attached Office Action or form PTO-152. **Tority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Achiment(s) ☐ Notice of References Cited (PTO-892) ☐ Notice of Partsperson's Patent Drawing Review (PTO-948) ☐ Paper No(s)/Mail Date Notice of Informal Patent Application (PTO-152)				•
6			n from consideration.	
7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) is/are subject to restriction and/or election requirement. pplication Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(1) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ Notice of References Cited (PTO-892) Notice of References Cited (PTO-892) Notice of Prafsperson's Patent Drawing Review (PTO-948) Notice of Informal Patent Application (PTO-152)	. —			
8) ☐ Claim(s) 1-51 are subject to restriction and/or election requirement. pplication Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Acknowledgment is made of a claim for foreign priority documents have been received. Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Acknowledgment is made of a claim for foreign priority documents have been received. Acknowledgment is made of a claim for foreign priority documents have been received. Acknowledgment is made of a claim for foreign priority documents have been received. Acknowledgment is made of a claim for foreign priority documents have been received. Acknowledgment is made of a claim for foreign priority documents have been received.	/			
pplication Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.1211 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. All Interview Summary (PTO-413) Paper No(s)/Mail Date All Paper No(s)/Mail Date All Paper No(s)/Mail Date All Notice of Informal Patent Application (PTO-152)				
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(1) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Interview Interview Summary (PTO-413) Paper No(s)/Mail Date Paper No(s)/Mail Date Notice of Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	0)[2]	Claim(s) 1-51 are subject to restriction and/or e	lection requirement.	
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(1) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Notice of Draftsperson's Patent Drawing Review (PTO-948) Notice of Informal Patent Application (PTO-152)	Applicati	on Papers		
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(1) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Notice of Draftsperson's Patent Drawing Review (PTO-948) Notice of Informal Patent Application (PTO-152)	9)[The specification is objected to by the Examiner		
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) Notice of References of the priority documents have been received. **Action of Proceedings of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Action of Proceedings of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Action of Proceedings of the priority documents have been received. **Action of Proceedings of	10)	The drawing(s) filed on is/are: a) acce	pted or b) objected to	by the Examiner
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(1) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Notice of References Cited (PTO-892)		Applicant may not request that any objection to the d	rawing(s) be held in abeva	ance See 37 CER 1 85(a)
riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Notice of Informal Patent Application (PTO-152)		Replacement drawing sheet(s) including the correction	on is required if the drawin	((s) is objected to Soc 27 CER 1 121/4)
riority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Notice of Informal Patent Application (PTO-152)	11)	The oath or declaration is objected to by the Exa	miner. Note the attache	ed Office Action or form DTO 152
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Notice of Informal Patent Application (PTO-152)			and the diagram	of the Action of John P 10-152.
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Notice of References Cited (PTO-892)		-		
1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 1. Interview Summary (PTO-413) Paper No(s)/Mail Date Notice of Informal Patent Application (PTO-152)	12) 🔲 .	Acknowledgment is made of a claim for foreign p	priority under 35 U.S.C.	§ 119(a)-(d) or (f).
2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) **Disclosure Statement(s) (PTO-1449 or PTO/SB/08) **Topic Information Application (PTO-152)	a)[
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) **Jeneral Review Summary (PTO-413) Paper No(s)/Mail Date. Notice of Informal Patent Application (PTO-152)				
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) **Jeff Total Patent Application (PTO-152)		2. Certified copies of the priority documents	have been received in A	Application No
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) **Jeff Total Patent Application (PTO-152)		Copies of the certified copies of the priorit	y documents have beer	received in this National Stage
Achment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) A Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)		application from the International Bureau	(PCT Rule 17.2(a)).	
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) A) Interview Summary (PTO-413) Paper No(s)/Mail Date. S) Notice of Informal Patent Application (PTO-152)	* S	ee the attached detailed Office action for a list o	f the certified copies not	received.
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) A) Interview Summary (PTO-413) Paper No(s)/Mail Date. S) Notice of Informal Patent Application (PTO-152)				
Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)	ttachment	(s)		
Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)) 🔲 Notice	of References Cited (PTO-892)	4) Intensions	Summany (PTO-412)
☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) ☐ Notice of Informal Patent Application (PTO-152)) ∐_ Notice	of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date
6) [Inform Paper	ation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) 🖳 Notice of I	nformal Patent Application (PTO-152)
atent and Trademark Office			6) [_] Other:	 ·
1-326 (Pay 4 04))L-326 (Re	. 4.04	on Summary	Part of Paper No./Mail Date 10182004

Application/Control Number: 09/973,557

Art Unit: 1743

DETAILED ACTION

Supplemental Election/Restrictions

Upon further review, it has been determined that further restriction in this application is required. The late notice of this further restriction is regretted.

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-25, drawn to a coated optical sensor, classified in class 422, subclass 82.11.
 - II. Claims 26-51, drawn to a composite waveguide, classified in class 385, subclass 131.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different modes of operation. Specifically, the invention of Group I utilizes a waveguide film coated onto a substrate and specifically requires a detector to be within a cone of collection angles orthogonal to the waveguide film. The invention of Group II, however, requires a composite waveguide structure, without requiring orthogonal positioning of the detector.

Application/Control Number: 09/973,557 Page 3

Art Unit: 1743

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

- 4. Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper.
- 5. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Snay whose telephone number is (571) 272-1264. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill A. Warden can be reached on (571) 272-1267. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1743

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeffrey R. Snay Primary Examiner Art Unit 1743

jrs